

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA Title III

Case No. 17 BK 3283-LTS

(Jointly Administered)

**PARTIAL OBJECTION TO
NOTICE OF PROPOSED AMENDMENT TO TWELFTH AMENDED NOTICE, CASE
MANAGEMENT AND ADMINISTRATIVE PROCEDURES TO INCLUDE
OMNIBUS HEARING DATES THROUGH DECEMBER 2021 (ECF NO. 13444)**

To the Honorable United States District Court Judge Laura Taylor Swain:

Assured Guaranty Corp. and Assured Guaranty Municipal Corp. (together, “Assured”), Ambac Insurance Corporation (“Ambac”), National Public Finance Guarantee Corporation (“National”), and Financial Guaranty Insurance Company (“FGIC,” and collectively with Assured, Ambac, and National, the “Objectors”) hereby submit this partial objection to the proposed Omnibus Hearing dates submitted by this Honorable Court in the *Notice of Proposed Amendment to Twelfth Amended Notice, Case Management and Administrative Procedures to*

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s Federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 04780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Include Omnibus Hearing Dates Through December 2021 (the “Notice”) (ECF No. 13444),² and respectfully state as follows:

1. On June 15, 2020, the Court issued the Notice expressing its intention to amend the *Twelfth Amended Notice, Case Management and Administrative Procedures* (ECF No. 13383) to include an updated list of scheduled dates for Omnibus Hearings through December 2021.

2. In the Notice, the Court requested that “[a]ny party in interest having an objection to [any] . . . proposed Omnibus Hearing dates shall file such objection by **June 23, 2020 at 5:00 p.m. (Atlantic Standard Time).**”

3. The Court has proposed an Omnibus Hearing date for 9:30 a.m. (Atlantic Standard Time) on the 29th day of September, 2021 (the “Proposed September 2021 Omnibus Hearing”). Objectors respectfully request the Court take note that this date conflicts with the major Jewish holiday of Simchat Torah,³ which will be observed by several members of counsel for Objectors (and likely counsel for other parties and parties in interest as well) on the 29th day of September, 2021. Those observing the holiday will be unavailable to attend the Proposed September 2021 Omnibus Hearing either in person or by teleconference.

4. To the extent the Court wishes to schedule an Omnibus Hearing on a Wednesday (as with the other Omnibus Hearing Dates) in or around September 2021, Objectors respectfully note to the Court that, given the dates of several other major Jewish holidays in September (Rosh Hashanah, Yom Kippur and Sukkot), the only non-holiday Wednesday would be September 1, 2021, during the week before Labor Day and less than a month after the proposed

² “ECF No.” refers to documents filed in Case No. 17-BK-3283-LTS, unless otherwise noted.

³ Simchat Torah celebrates the completion of the annual cycle of weekly readings from the Old Testament for Jewish communities and begins the start of a new cycle.

August 4, 2021, Omnibus Hearing Date. Objectors thus respectfully suggest that, to the extent the Court will be available, an Omnibus Hearing be scheduled in October rather than on September 29, 2021.

5. As the Court is aware, Objectors are parties and parties in interest to multiple actions in the Title III proceedings and would expect to be active participants at the scheduled Omnibus Hearings, including the Proposed September 2021 Omnibus Hearing. Objectors believe it is important for their chosen counsel to be available on the proposed Omnibus Hearing Dates.

6. For the reasons set forth above, Objectors respectfully request that the Proposed September 2021 Omnibus Hearing be scheduled one week later, during the first week of October 2021.

[Remainder of Page Intentionally Blank]

Dated: June 23, 2020
New York, New York

CASELLAS ALCOVER & BURGOS P.S.C.

By: /s/ Heriberto Burgos Pérez

Heriberto Burgos Pérez
USDC-PR No. 204,809
Ricardo F. Casellas-Sánchez
USDC-PR No. 203,114
Diana Pérez-Seda
USDC-PR No. 232,014
P.O. Box 364924
San Juan, PR 00936-4924
Tel.: (787) 756-1400
Fax: (787) 756-1401
E-mail: hburgos@cabprlaw.com
rcasellas@cabprlaw.com
dperez@cabprlaw.com

*Counsel for Assured Guaranty Corp. and Assured
Guaranty Municipal Corp.*

**CADWALADER, WICKERSHAM &
TAFT LLP**

By: /s/ Howard R. Hawkins, Jr.

Howard R. Hawkins, Jr.*
Mark C. Ellenberg*
William J. Natbony*
Ellen M. Halstead*
Thomas J. Curtin*
Casey J. Servais*
200 Liberty Street
New York, New York 10281
Tel.: (212) 504-6000
Fax: (212) 406-6666
Email: howard.hawkins@cwt.com
mark.ellenberg@cwt.com
bill.natbony@cwt.com
ellen.halstead@cwt.com
thomas.curtin@cwt.com
casey.servais@cwt.com

* Admitted pro hac vice

*Counsel for Assured Guaranty Corp. and
Assured Guaranty Municipal Corp.*

FERRAIUOLI LLC

MILBANK LLP

By: /s/ Roberto Cámara-Fuertes
ROBERTO CÁMARA-FUERTES
USDC-PR NO. 219,002
E-mail: rcamara@ferraiuoli.com

By: /s/ Sonia Colón
SONIA COLÓN
USDC-PR NO. 213809
E-mail: scolon@ferraiuoli.com

221 Ponce de Leon Ave., 5th Floor
San Juan, PR 00917
Tel.: (787) 766-7000
Fax: (787) 766-7001

By: /s/ Atara Miller
Dennis F. Dunne*
Atara Miller*
Grant R. Mainland*
John J. Hughes, III*
55 Hudson Yards
New York, New York 10001
Tel.: (212) 530-5000
Fax: (212) 530-5219
Email: ddunne@milbank.com
amiller@milbank.com
gmainland@milbank.com
jhughes2@milbank.com

*admitted *pro hac vice*

Counsel for Ambac Assurance Corporation

Counsel for Ambac Assurance Corporation

ARENT FOX LLP

By: /s/ David L. Dubrow

DAVID L. DUBROW*

MARK A. ANGELOV*

1301 Avenue of the Americas

New York, New York 10019

Tel.: (212) 484-3900

Fax: (212) 484-3990

Email: david.dubrow@arentfox.com

mark.angelov@arentfox.com

By: /s/ Randall A. Brater

RANDALL A. BRATER*

1717 K Street, NW

Washington, DC 20006

Tel.: (202) 857-6000

Fax: (202) 857-6395

Email: randall.brater@arentfox.com

*admitted pro hac vice

Counsel for Ambac Assurance Corporation

ADSUAR MUNIZ GOYCO SEDA &
PEREZ-OCHOA PSC

WEIL, GOTSHAL & MANGES LLP

By: /s/ Eric Perez-Ochoa

Eric Pérez-Ochoa
USDC-PR No. 206,314
E-mail: epo@amgprlaw.com

By: /s/ Luis A. Oliver-Fraticelli

Luis A. Oliver-Fraticelli
USDC-PR NO. 209,204
E-mail: loliver@amgprlaw.com

208 Ponce de Leon Ave., Suite 1600
San Juan, PR 00936
Tel.: (787) 756-9000
Fax: (787) 756-9010

*Attorneys for National Public Finance
Guarantee Corp.*

By: /s/ Robert Berezin

Jonathan Polkes*
Gregory Silbert*
Robert Berezin*
Kelly Diblasi*
Gabriel A. Morgan*
767 Fifth Avenue
New York, New York 10153
Tel.: (212) 310-8000
Fax: (212) 310-8007
Email: jonathan.polkes@weil.com
gregory.silbert@weil.com
robert.berezin@weil.com
kelly.diblasi@weil.com
gabriel.morgan@weil.com

* admitted *pro hac vice*

*Attorneys for National Public Finance
Guarantee Corp.*

REXACH & PICÓ, CSP

BUTLER SNOW LLP

By: /s/ María E. Picó

María E. Picó
USDC-PR 123214
802 Ave. Fernández Juncos
San Juan PR 00907-4315
Telephone: (787) 723-8520
Facsimile: (787) 724-7844
E-mail: mpico@rexachpico.com

*Attorney for Financial Guaranty
Insurance Company*

By: /s/ Martin A. Sosland

Martin A. Sosland (*pro hac vice*)
5430 LBJ Freeway, Suite 1200
Dallas, TX 75240
Telephone: (469) 680-5502
Facsimile: (469) 680-5501
E-mail: martin.sosland@butlersnow.com

**Admitted pro hac vice in Case No. 17-BK-03283-LTS and Case No. 17-BK-03567-LTS*

Jason W. Callen
150 3rd Ave., S., Suite 1600
Nashville, TN 37201
Telephone: 615-651-6774
Facsimile: 615-651-6701
Email: jason.callen@butlersnow.com

**Admitted pro hac vice in Case No. 17-BK-03283-LTS and Case No. 17-BK-03567-LTS*

*Attorneys for Financial Guaranty Insurance
Company*

CERTIFICATE OF SERVICE

I hereby certify that I filed this document electronically with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record in the captioned case.

At New York, New York, the 23rd day of June, 2020.

By: /s/ Howard R. Hawkins, Jr.
Howard R. Hawkins, Jr.*
* Admitted pro hac vice